

RECEIVED  
SUPREME COURT  
STATE OF WASHINGTON

2006 NOV 20 SUPREME COURT OF THE STATE OF WASHINGTON

BY C. J. MERRITT  
STATE OF WASHINGTON,

Respondent,

-v-

MICHAEL M. MILES,

Petitioner.

NO. 78656-9

RESPONDENT'S  
STATEMENT OF  
ADDITIONAL AUTHORITY

Under RAP 10.8 the Respondent, State of Washington, files this  
Statement of Additional Authority.

- 1) On the issue of whether subpoenas have traditionally required prior review by a neutral magistrate or notice to affected third parties, the Court's attention is drawn to the following statutes authoring the issuance of subpoenas without requiring prior neutral magistrate review or notice to affected third parties:
  - Civil Subpoenas - Laws 1854, C. 30, §§ 289-90 p. 57-58;
  - Criminal Subpoenas - Laws 1854, C. 20, § 237. p. 302;
  - Coroner - Laws 1854, pp. 436-37, §§ 3-7;
  - Board of Tax Commissioners - Laws 1905, c. 115. § 8;
  - Industrial Insurance Department - Laws 1911, c. 74, § 21, p. 369;
  - Board of Law Examiners - Laws 1917, c. 115, § 18, pp. 429-30;
  - Industrial Code Commission - Laws 1919, c. 184,
  - Board of Dept. of Labor and Industry - Laws 1927, c. 310, § 8, p. 858 (amending Laws of 1911, c. 74, § 20)

RESPONDENT'S STATEMENT OF  
ADDITIONAL AUTHORITY - P. 1

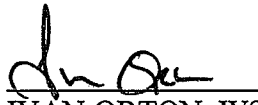
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2) On the issue of what deference is due an agency's interpretation of the statutes it administers, the Court's attention is drawn to:

- *Nationscapital v. Dept of Fin. Insts.*, 133 Wn. App. 723, \_\_\_\_ P.3d \_\_\_\_ (2006), pages 737-738 and cases cited therein

Respectfully Submitted this 8th day of November, 2006.

NORM MALENG  
King County Prosecuting Attorney



IVAN ORTON WSBA No. 7723  
Senior Deputy Prosecuting Attorney  
Fraud Division